



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
)
Therese Cetrulo
Osvaldo Chu
Richard N. McArdle
Renee Mellican
Keith Seaman
)
REDUCED SUGAR CITRUS JUICE
BEVERAGES
)
Serial No.: 10/661,179
)

Filed: September 12, 2003

Examiner:

**Group Art Unit:** 

**CERTIFICATE OF MAILING** 

Date of Deposit <u>January 27, 2004</u>

I hereby certify that this paper or fee is being deposited with the United States Postal Service on the date indicated above and is addressed to:

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## RESPONSE TO MISSING PARTS NOTICE AND INFORMATION DISCLOSURE STATEMENT

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Sir:

Responsive to the Formalities Letter Notice to File Missing Parts of Nonprovisional Application, which was mailed December 8, 2003, applicants enclose a copy of this Formalities Letter. Applicants also enclose the Declaration which has been signed by the inventors.

Enclosed is a check to cover the surcharge fee in this regard in the amount of \$130.00. Any additional fee or credit

can be applied to Deposit Account No. 50-1039 of the firm of the undersigned which is identified below.

The references listed on the attached PTO form are called to the attention of the U.S. Patent and Trademark Office.

Applicants enclose a copy of each of these references.

This statement is provided in order to comply with 37 CFR §1.56, §1.97 and §1.98, and this statement is not to be construed as a representation that no information exists which is more material than these references, or that the information is considered to be material to patentability.

Respectfully submitted,

COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER, LTD.

Raymond M. Mehler

Registration No. 26,306

RMM:vk 200 West Adams Street Suite 2850 Chicago, Illinois 60606 (312) 236-8500

Dated: January 27, 2004

PTO/SB/08A (08-03)

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Substitute for form	1449/PTO	Complet if Known			
		Application Number	10/661,179		
	ATION DISCLOSURE	Filing Date	September 12, 2003		
		First Named Inventor	Therese Cetrulo		
STATEM	ENT BY APPLICANT	Art Unit			
(Use a	s many sheets as necessary)	Examiner Name			
not 1	of 3	Attorney Docket Number	0876-0203		

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
<del>-</del>		<sup>US-</sup> 4,024,290	05-17-1977	Layton		
,		<sup>US-</sup> 4,093,750	06-06-1978	Babayan		
		<sup>US-</sup> 4,160,849	07-10-1979	Huchette et al.		
		<sup>US-</sup> 4,388,330	06-14-1983	Wobben et al.		
		<sup>US-</sup> 4,690,827	09-01-1987	Kupper et al.		
-		<sup>US-</sup> 4,834,990	05-30-1989	Amer		
		<sup>US-</sup> 4,963,380	10-16-1990	Schroeder et al.		
		<sup>US-</sup> 4,986,994	01-22-1991	Baccus, Jr.		
		<sup>US-</sup> 4,988,530	01-29-1991	Hoersten et al.		
		<sup>US-</sup> 5,069,924	12-03-1991	Baccus, Jr.		
		<sup>US-</sup> 5,073,397	12-17-1991	Tarr et al.		
		<sup>US-</sup> 5,089,171	02-18-1992	Chiu	,	
		<sup>US-</sup> 5,108,774	04-28-1992	Mills et al.		
		<sup>US-</sup> 5,162,128	11-10-1992	Mills et al.		
		us- 5,194,284	03-16-1993	Chiu et al.		
		<sup>US-</sup> 5,213,834	05-25-1993	Ikeda et al.		
		<sup>US-</sup> 5,260,086	11-09-1993	Downton et al.		
		<sup>US-</sup> 5,374,444	12-20-1994	Langner		
		<sup>US-</sup> 5,385,748	01-31-1995	Bunger et al.		

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages				
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>			
		,							

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Substitute for form 1449/PTO

Sheet 2

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of 3

Application Number 10/661,179

Filing Date September 12, 2003

First Named Inventor Therese Cetrulo

Art Unit

Examiner Name

Attorney Docket Number 0876-0203

			U.S. PATENT	DOCUMENTS	
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		US- 5,403,604	04-04-1995	Black, Jr. et al.	<del>- </del>
		A	<del> </del>	<del>                                     </del>	
		<sup>US-</sup> 5,474,793	12-12-1995	Meyer et al.	
		<sup>US-</sup> 5,811,148	12-22-1998	Chiu et al.	
		<sup>US-</sup> 6,007,848	12-28-1999	Hendrick et al.	
		<sup>US-</sup> 5,830,523	11-03-1998	Takaichi et al.	
		<sup>US-</sup> 5,851,578	12-22-1998	Gandhi	
		<sup>US-</sup> 5,855,948	01-05-1999	Mills et al.	
		<sup>US-</sup> 5,939,110	08-17-1999	Grassin et al.	
		<sup>US-</sup> 6,007,848	12-28-1999	Hendrick et al.	
		<sup>US-</sup> 6,126,960 \	10-03-2000	Nilsen et al.	
		<sup>US-</sup> 6,248,390	06-19-2001	Stillman	
		<sup>US-</sup> 6,383,546	05-07-2002	Powrie et al.	
		<sup>US-</sup> 6,399,142	06-04-2002	Silver	
		<sup>US-</sup> 6,506,427	01-14-2003	Garti et al.	
		us- 2001/0053404	12-20-2001	Powrie et al.	
		<sup>US-</sup> 2002/0110632	08-15-2002	Numes et al.	
		<sup>US-</sup> 2002/0122847	12-05-2002	Nunes et al.	
		<sup>US-</sup> 2002/0136802	12-26-2002	Mehansho et al.	
		<sup>US-</sup> 2002/0192350	12-19-2002	Hynes et al.	

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September 12, 2003

Therese Cetrulo

Complete if Known

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**Application Number** 

First Named Inventor

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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		<sup>US-</sup> 2002/0197371	12-26-2002	Lee et al.		
		<sup>US-</sup> 2003/0008057	01-09-2003	Hynes et al.		
		<sup>US-</sup> 2003/0035880	02-20-2003	Heisey et al.		
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FOREIGN PATENT DOCUMENTS						
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		WO 03/003860	01-16-2003	The Procter &		
				Gamble Co.		

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